

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

HOWARD ELLIS,) 3:08-CV-657-ECR-WGC
)
 Plaintiff,) MINUTES OF THE COURT
)
 vs.) DATE: March 8, 2012
)
 JAMES BENEDETTI, et al.,)
)
 Defendant(s).)
)

PRESENT: EDWARD C. REED, JR. U. S. DISTRICT JUDGE

Judicial Assistant: Candace Knab Reporter: NONE APPEARING

Counsel for Plaintiff(s) NONE APPEARING

Counsel for Defendant(s) NONE APPEARING

MINUTE ORDER IN CHAMBERS

On January 23, 2012, the Magistrate Judge filed a Report and Recommendation (#134) recommending that Plaintiff's motion for sanctions (#68), motion to correct the record (#54), motion for an evidentiary hearing (#74), and motion for injunctive relief (#50) be denied. Plaintiff filed objections (#143) to the Report and Recommendation (#134) on February 17, 2012. Defendants did not respond.

Plaintiff's objections are not well taken and are overruled. The Court finds that Defendants properly filed Exhibit F, a copy of Plaintiff's inmate history in support of their opposition to Plaintiff's motion for preliminary injunction (#68), and not for any improper purpose delineated by Federal Rule of Civil Procedure 11. Further, the Court agrees with the Magistrate Judge that it is not necessary to correct the characterization of Plaintiff's motion for injunctive relief (#50) in the record because Plaintiff indeed seeks injunctive relief. Additionally, an evidentiary hearing is not necessary to decide Plaintiff's motion for injunctive relief (#50). Finally, Plaintiff's motion for injunctive relief (#50) must be denied. With regard to his legal records claim, Plaintiff cannot be granted mandatory relief unrelated to the instant action against non-parties, nor can Plaintiff establish a likelihood of success on the merits with regard to his segregated housing status or Eight Amendment deliberate indifference claims.

IT IS, THEREFORE, HEREBY ORDERED that the Magistrate Judge's Report and Recommendation (#134) is well taken and is **APPROVED** and **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's motion for sanctions (#68) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's motion to correct the record (#54) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's motion for an evidentiary hearing (#74) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's motion for injunctive relief (#50) is **DENIED**.

LANCE S. WILSON, CLERK

By /s/
Deputy Clerk